

Notice of Allowability

Application No.

10/640,558

Examiner

Jacob Y. Choi

Applicant(s)

VAN DUYN, PAUL D.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-19/2005.
2. ☒ The allowed claim(s) is/are 1-21 and 24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/19/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 9/19/2005 was filed after the mailing date of the Non-Final Office action on 4/28/2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Terminal Disclaimer

2. The terminal disclaimer filed on 9/19/2005 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

3. Applicant's arguments, see pages 10-16, filed 9/19/2005, with respect to claims 1-23 have been fully considered and are persuasive. The claim rejections - 35 USC § 102 & claim rejections - 35 USC § 103 of 4/28/2005 has been withdrawn.

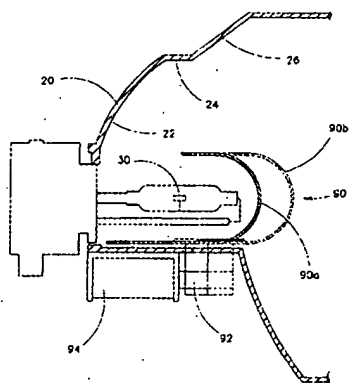
Response to Amendment

4. Examiner acknowledges that the applicant has amended claims 1, 17, 18, & 21, canceled claims 22 & 23, and added claim 24.

Allowable Subject Matter

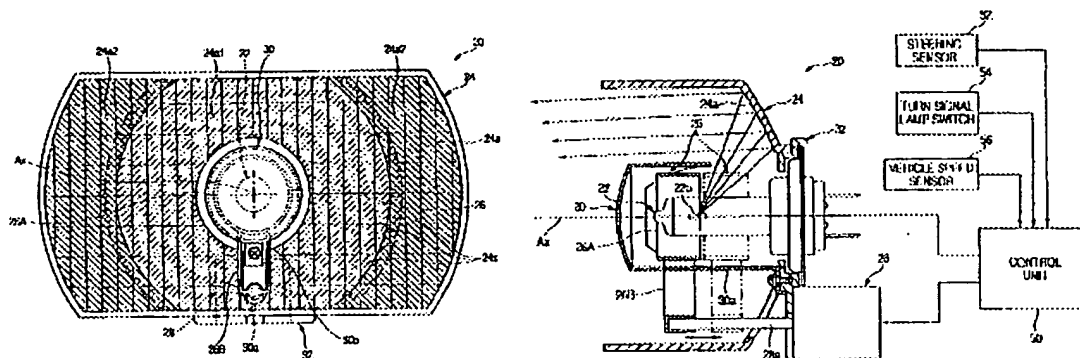
5. The following is an examiner's statement of reasons for allowance:

Claims 1, 9, 17, 18, & 21, recites an automotive lamp assembly comprising a non-reflective surface being positioned in between a first and second reflective surface in combination with light shield partially surrounding the light source where a driver is attached to the light shield and operable to move the light shield axially between a first position and a second position to selectively illuminate between first reflective surface, non-reflective surface, and second reflective surface.

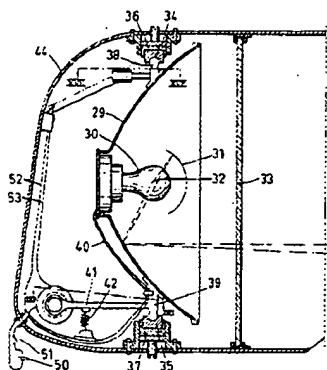


Because none of the cited prior art reference disclose the combination, nor is there any motivation to combine them, the claims are deemed patentable over prior art of record.

Tatsukawa (USPN 6,837,601) teaches a lamp assembly having a reflector (24) with a first reflecting surface (24a1) and a second reflective surface (24a2), a light source (22) and a movable shield (26; Figures 2-3, column 5, lines 38-52). However, failed to disclose a non-reflective surface being disposed between the first and second reflecting surfaces.



Nordberg (USPN 3,751,659) teaches a reflector comprising a transitional surface between the two (or three) line-focusing portion of the reflector which, in a pressing process, will be joined together, can be coated with a black, non-reflecting material. However, failed to disclose the light shield partially surrounding the light source where a driver is attached to the light shield and operable to move the light shield axially between a first position and a second position to selectively illuminate between first reflective surface, non-reflective surface, and second reflective surface.



Claims 1-21, & 24 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

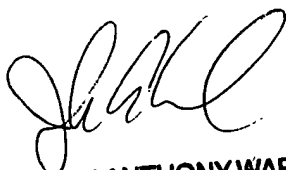
Siminovitch et al. (USPN 5,803,593) – reflector system for a lighting fixture

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y. Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC


JOHN ANTHONY WARD
PRIMARY EXAMINER